THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.3701 OF 2007

Dated 27th April 2007

Between:

P.Venkateshwarlu

…Petitioner

and

The Collector Co-operation-cum-
District Collector, Nellore District & another.

…Respondents

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WRIT PETITION No.3701 OF 2007

O R D E R:

The petitioner is working as secretary in the 2nd respondent Primary Agricultural Cooperative Society. Through a charge memo dated 5.2.2007, the petitioner is placed under suspension, and the domestic enquiry is ordered. Petitioner challenges the same.

Heard the learned counsel for the petitioner, learned Government Pleader for Cooperation, and learned Standing Counsel for respondent No.2.

The question of interference with a charge memo would arise, if only it is issued by an authority, not vested with the power. The petitioner does not dispute that the president of the society has the power to initiate disciplinary proceedings, against him. So far as the suspension pending enquiry is concerned, the impugned proceedings referred to various acts and omissions, on the part of the petitioner, that warranted the suspension. The truth or otherwise of the allegations would be evident, only after the conclusion of the domestic enquiry.

This court is not inclined to interfere with the impugned charge memo.

The writ petition is accordingly dismissed. The petitioner is, however, granted 15 days time, to submit his explanation. It shall be open to the petitioner, to pursue his remedies, in case any punishment is imposed against him. There shall be no order as to costs.

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27th April 2007

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